

IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

CARL D. SIMPSON AND BONNIE REED  
SIMPSON, CO-ADMINISTRATORS OF  
THE ESTATE OF CARL D. SIMPSON,

ORIGINAL

Plaintiffs,

vs.

Case No. C-1-00014

INTERMET CORPORATION, ET AL.,

Defendants.

DEPOSITION OF THOMAS STAPLETON

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The deposition of Thomas Stapleton, was taken on July 14, 2003, at the approximate hour of 9:30 a.m., at 215 South Fourth Street, Ironton, Ohio.

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ELITE COURT REPORTING  
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BRANDY D. MOWERY

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Also present: Bonnie Reed Simpson

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1                   **Q.**    Did you ever receive any kind of formal  
2                   discipline while you were an employee for misconduct or for  
3                   job performance?

4                   **A.**    No. I got wrote up for coming in late two or  
5                   three times, but that's about it.

6                   **Q.**    Once again, did any supervisor or manager of the  
7                   company ever tell you to remove stickers without going  
8                   through the lock out process?

9                   **A.**    No, they never...

10                  **Q.**    Did you ever have a discussion with other  
11                  employees about whether or not you should bother to lock  
12                  it? Was that ever a topic that was discussed?

13                  **A.**    No.

14                  **Q.**    You said, from time to time, if you thought you  
15                  could reach a sticker, you'd use a long screwdriver and put  
16                  your hand or arm into the machine.

17                  **A.**    Just my hand. If it was to where my hand  
18                  actually had to go back in between the pattern, no, I  
19                  wouldn't.

20                  **Q.**    Your judgement was that if you went in that far,  
21                  you could pull back if the machine started to move?

22                  **A.**    Right.

23                  **Q.**    Did any manager or supervisor -- are you aware  
24                  that they observed you doing that?

1 accident?

2 A. Paul Kelly.

3 Q. Did Mr. Kelly work with you often as a helper?

4 A. Yes. He was my regular helper. As a matter of  
5 fact, he's my brother-in-law.

6 Q. Your recently acquired brother-in-law?

7 A. No. He's been married...

8 Q. Were you observing Mr. Simpson at the moment the  
9 accident occurred?

10 A. I had my back turned at the time.

11 Q. Tell me, if you can, what Mr. Simpson was doing  
12 the last time you observed him, prior to the accident.

13 A. He was leaning back in the machine, knocking the  
14 sticker out.

15 Q. Where was Mr. Brammer at that time? Did you  
16 notice?

17 A. He was standing out by the control panel.

18 Q. I gather you turned your back to your control  
19 panel?

20 A. Yeah. I turned my back -- like this machine,  
21 B-1, it also had a glue press. All right. I turned my  
22 back to put my mold in the glue press. Paul Kelly, my  
23 helper, his back was turned also.

24 Q. You were both working on your glue press?